

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

## **MEMORANDUM AND ORDER**

## **PROUD, Magistrate Judge:**

Before the Court is the parties' Agreed Motion for Remand to the Commissioner. (**Doc. 16**).

The parties ask that this case be remanded for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). A sentence four remand (as opposed to a sentence six remand) depends upon a finding of error, and is itself a final, appealable order. See, *Melkonyan v. Sullivan*, 501 U.S. 89 (1991); *Perlman v. Swiss Bank Corporation Comprehensive Disability Protection Plan*, 195 F.3d 975, 978 (7th Cir. 1999). Upon a sentence four remand, judgment should be entered in favor of plaintiff. *Shalala v. Schaefer*, 509 U.S. 292, 302-303 (1993).

The parties agree that, upon remand, "the ALJ will receive additional evidence, and, in accordance with agency regulations and rulings, the ALJ will

<sup>1</sup> This case was assigned to the undersigned for final disposition upon consent of the parties pursuant to 28 U.S.C. § 636(c). See, Doc. 20.

review the medical evidence and reassess Plaintiff's residual functional capacity, particularly regarding any limitations relating to maintaining concentration, persistence, or pace. After reevaluating the evidence, the ALJ will issue a new decision regarding the disability application."

Plaintiff applied for disability benefits in June 2014. (Tr. 18). While recognizing that the agency has a full docket, the Court urges the Commissioner to expedite this case on remand.

For good cause shown, the parties' Joint Motion for Remand (**Doc. 16**) is **GRANTED**.

The final decision of the Commissioner of Social Security denying plaintiff's application for social security benefits is **REVERSED and REMANDED** to the Commissioner for rehearing and reconsideration of the evidence, pursuant to sentence four of 42 U.S.C. § 405(g).

The Clerk of Court is directed to enter judgment in favor of plaintiff.

**IT IS SO ORDERED.**

**DATED: June 26, 2018.**

s/ Clifford J Proud  
**CLIFFORD J. PROUD**  
**UNITED STATES MAGISTRATE JUDGE**